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S/N 09/837,138

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John H. Petrini et al. Examiner: Karen A. Canella
Serial No.: 09/837,138 Group Art Unit: 1642
Filed: April 18, 2001 Docket: 800.019US3
Title: METHODS TO ALTER LEVELS OF A DNA REPAIR PROTEIN (AS
AMENDED)

**NOTICE OF APPEAL FROM THE DECISION OF THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

MAIL STOP AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In compliance with 37 C.F.R. § 1.191, Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated June 29, 2004, of the Examiner rejecting claims 5, 6, 20-22 and 26-28 of the above-identified patent application.

A request for an extension of time to respond to the Examiner's rejection is submitted herewith along with payment of the required extension fee.

Our check in the amount of \$250.00 is enclosed to pay the Notice of Appeal fee under 37 C.F.R. § 1.17(b). Please charge any required additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

JOHN H. PETRINI ET AL.

By Applicants' Attorneys,

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Date

December 29, 2004

By

Janet E. Embretson
Reg. No. 39,665

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MAIL STOP AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 29, 2004.

Name

Dawn M. Poole

Signature

Dawn M. Poole